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Attorneys for BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission  
**DOCKETED**

JAN 15 1997

CARL J. KUNASEK  
Chairman  
JIM IRVIN,  
Commissioner,  
RENZ D. JENNINGS,  
Commissioner

DOCKETED BY	
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IN THE MATTER OF COMPETITION  
IN THE PROVISION OF ELECTRIC SERVICES  
THROUGHOUT THE STATE OF ARIZONA

) DOCKET NO. U-0000-94-165  
)  
) APPLICATION FOR REHEARING  
) AND REQUEST FOR STAY  
)

Electrical District No. 2, Pinal County, (ED 2) and the HoHoKam Irrigation and Drainage District, Pinal County, (HHK) and the Wellton-Mohawk Irrigation and Drainage District, Yuma County, (Wellton) and the Town of Wickenburg (Wickenburg), each a political subdivision of the State of Arizona, pursuant to A.R.S. § 40-253 and AAC R14-3-111, submit this Application for Rehearing and Request for Stay of Decision No. 59943 dated December 26, 1996 for the reason they are affected by the Decision, are uniquely situated as non-jurisdictional entities, and their interests will not be adequately represented by the other parties. Rehearing and a Stay pending Commission determination of the issues raised is requested as to all aspects of Decision No. 59943 and its appendices, including the Rules set forth in its Appendix A (collectively, the "Decision").

The Decision is unconstitutional, unlawful, unreasonable, in excess of the Commission's jurisdiction, arbitrary, capricious and an abuse of the Commission's jurisdiction upon the grounds and for the reasons set forth in the Applications for Rehearing/Reconsideration and Requests for Stay filed by Arizona Public Service Company,

1 Tucson Electric Power Company and the Irrigation and Electrical District Association, whose  
2 filings are herein adopted as though set forth in full as the basis of this application.

3 WHEREFORE, having fully stated their Application for Rehearing and Request  
4 for Stay, ED 2, HHK, Wellton and Wickenburg respectfully request the Commission enter its  
5 Order granting the Application for Rehearing and staying the Decision and the Rules adopted  
6 pending resolution of the issues set forth herein.

7 RESPECTFULLY SUBMITTED this 15th day of January, 1997.

8 MARTINEZ & CURTIS, P.C.

9  
10 By  \_\_\_\_\_

11 William P. Sullivan  
12 2712 N. 7th Street  
13 Phoenix, Arizona 85006-1090  
14 Attorneys for ED No. 2 /HoHoKam/Wellton/  
15 Wickenburg

16 Copies of the foregoing hand-delivered  
17 this 15th day of January, 1997 to:

18 Chief Hearing Officer  
19 Hearing Division  
20 Arizona Corporation Commission  
21 1200 West Washington  
22 Phoenix, Arizona 85007

23 Chief Counsel - Legal Division  
24 Arizona Corporation Commission  
25 1200 West Washington  
26 Phoenix, Arizona 85007

Director - Utilities Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

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**CERTIFICATE OF SERVICE**

I hereby certify that I have caused to be filed with the Arizona Corporation Commission on January 15, 1997 the original and ten (10) copies of the foregoing document and service was completed by mailing or hand-delivering a copy of the foregoing document on this 15th day of January, 1997 to all parties of record herein.



A handwritten signature in dark ink, appearing to read "Michael R. Curtis", is written over a horizontal dashed line.